

Form B9A (Chapter 7 Individual or Joint Debtor No Asset Case)

Case Number **10-40117**

UNITED STATES BANKRUPTCY COURT
District of South Dakota

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 3/1/10.

You may be a creditor of the debtor(s). **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or online using CM/ECF (contact the clerk's office for more information regarding CM/ECF). NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

Debtor(s):

Randy Lee Flemming
fdba Flemming Construction
704 Pine Street
Yankton, SD 57078

Case Number:

10-40117

Social Security/Taxpayer ID Numbers:

xxx-xx-8389

Attorney for Debtor(s):

Wanda L. Howey-Fox
PO Box 18
Yankton, SD 57078
Telephone number: (605) 665-1001

Bankruptcy Trustee:

Lee Ann Pierce
Trustee
PO Box 524
Brookings, SD 57006
Telephone number: 605-692-9415

Meeting of Creditors:

Date: **April 8, 2010**Time: **01:30 PM**Location: **Suite 300, 314 S. Main Ave., Sioux Falls, SD 57104**

Presumption of Abuse under 11 U.S.C. § 707(b)

See "Presumption of Abuse" on reverse side.

The presumption of abuse does not arise.

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

To File a Complaint Objecting to Discharge of Debtor(s) or to Determine Dischargeability of Certain Debts:
6/7/10

To Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor(s) and the property of the debtor(s). Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor(s) can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult an attorney to determine your rights in this case.

Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.

Foreign Creditors

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

Address of the Bankruptcy Clerk's Office:

400 S. Phillips Ave., Room 104
Sioux Falls, SD 57104-6851
Telephone number: 605-357-2400
www.sdb.uscourts.gov

For the Court:

Frederick M. Entwistle
Clerk of the Bankruptcy Court

Hours Open: Monday – Friday 8:00 AM – 5:00 PM

Date: 3/2/10

SEE OTHER SIDE FOR IMPORTANT EXPLANATIONS.

EXPLANATIONS

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor(s) by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor(s); repossessing property of the debtor(s); starting or continuing lawsuits or foreclosures; and garnishing or deducting from wages of the debtor(s). Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor(s) can request the court to extend or impose a stay.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor(s) may rebut the presumption by showing special circumstances.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for doing so. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
Discharge of Debts	The debtor(s) is (are) seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor(s). If you believe the debtor(s) is (are) not entitled to receive a discharge under Bankruptcy Code § 727(a) <i>or</i> that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), or (6), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of Debtor(s) <i>or</i> to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that deadline.
Exempt Property	The debtor(s) is (are) permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor(s) must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe an exemption claimed by the debtor(s) is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's(s') property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office. You may also review them online, using CM/ECF (contact the clerk's office for more information regarding CM/ECF).
Foreign Creditors	Consult an attorney familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
Debtor Identification	Important notice to individual debtors: All individual debtors must provide picture identification and proof of social security number to the trustee at the meeting of creditors. Failure to do so may result in the dismissal of your case.

— Refer to Other Side for Important Deadlines and Notices —

CERTIFICATE OF NOTICEDistrict/off: 0869-4
Case: 10-40117User: ckram
Form ID: b9aPage 1 of 2
Total Noticed: 50

Date Rcvd: Mar 02, 2010

The following entities were noticed by first class mail on Mar 04, 2010.

db +Randy Lee Flemming, 704 Pine Street, Yankton, SD 57078-4041
 aty Stephanie C. Bengford, Assistant U.S. Attorney, PO Box 2638, Sioux Falls, SD 57101-2638
 aty +Wanda L. Howey-Fox, PO Box 18, Yankton, SD 57078-0018
 tr +Lee Ann Pierce, Trustee, PO Box 524, Brookings, SD 57006-0524
 ust Bruce J. Gering, 314 South Main Avenue, Suite 303, Sioux Falls, SD 57104-6462
 978450 +711 Convenient Loan, 1818 Broadway Ave., Ste. D-1, Yankton, SD 57078-2100
 978457 +AT&T, 32 Avenue of the Americas, New York, NY 10013-2473
 978451 +Affiliated Credit Services, PO Box 7739, Rochester, MN 55903-7739
 978454 +Alltel, PO Box 223721, Dallas, TX 75222-3721
 978455 Alltell/Western Wireless, Building 4, Third Floor, One Allied Drive,
 Little Rock, AR 72202-2099
 978458 +Beneficial/HFC, PO Box 3425, Buffalo, NY 14240-3425
 978460 +Citifinancial, PO Box 499, Hanover, MD 21076-0499
 978461 +Colltech, PO Box 47095, Plymouth, MN 55447-0095
 978462 Emergency Physicians, PA, 7301 OHMS Lane, Ste. 650, Edina, MN 55439-4000
 978463 +Evan Larson, Attorney at Law, 201 South Main Street, Austin, MN 55912-4472
 978465 FMS, Inc., PO Box 707600, Tulsa, OK 74170-7600
 978464 +Fairview Health Services, Central Business Office, 400 Stinson Blvd.,
 Minneapolis, MN 55413-2614
 978466 HealthPartners, Medical Group, PO Box 244, Minneapolis, MN 55440-0244
 978469 JNR Adjustment Company, Inc., PO Box 27070, Minneapolis, MN 55427-0070
 978470 LDC Collection Systems, PO Box 4967, Trenton, NJ 08650-4967
 978472 LHR, Inc., 56 Main Street, Hamburg, NY 14075-4905
 978471 +Lewis & Clerk Beh. Hlth. Ser., Inc., 1028 Walnut Street, Yankton, SD 57078-2910
 978473 Lifelink III, SDS 12-1778, PO Box 86, Minneapolis, MN 55486-1778
 978474 +Macy's Retail Holdings, Inc., 7 West Seventh Street, Cincinnati, OH 45202-2471
 978475 +Messerli & Kramer (MCR), 3033 Campus Dr., Ste. 250, Plymouth, MN 55441-2662
 978477 +Midland Funding, LLC, c/o Messerli & Kramer, 3033 Campus Drive, Ste. 250,
 Plymouth, MN 55441-2662
 978478 +Mower County District Court, 201 First Street, NE, Austin, MN 55912-3405
 978479 +NCO Financial Systems, Inc., 507 Prudential Road, Horsham, PA 19044-2368
 978481 +Pinnacle Financial Group, 7825 Washington Ave., S. Ste. 310, Minneapolis, MN 55439-2424
 978483 +Preferred Credit, Inc., 3051 2nd Str., S., Ste. 200, St. Cloud, MN 56301-3201
 978484 +ProBuild, 301 E. 3rd Street, Yankton, SD 57078-4420
 978485 +Progressive Insurance Company, 6300 Wilson Mills Road, Mayfield Village, OH 44143-2182
 978488 RPM, PO Box 768, Bothell, WA 98041-0768
 978486 +Rebecca Coffaa, 504 1/2 E. 5th Street, Dell Rapids, SD 57022-1702
 978487 +Regions Hospital, Mail Stop 12403A, 640 Jackson Street, St. Paul, MN 55101-2502
 978489 +SD Division of Child Support, 700 Govenors Drive, Pierre, SD 57501-2291
 978490 +SD Human Services Center, PO Box 7600, Yankton, SD 57078-7600
 978492 St. Paul Radiology, PA, 166 4th St. E, St. Paul, MN 55101-1421
 978493 +State of South Dakota, Dept. of Revenue & Regulation, Business Tax Division,
 445 East Capitol, Pierre, SD 57501-3100
 978494 +Suburban Radiologic Consultants, Ltd., 4801 West 81st Street, Minneapolis, MN 55437-1191
 978495 +Wells Fargo Bank NV NA, PO Box 94435, Albuquerque, NM 87199-4435
 978496 Wells Fargo Home Mortgage, PO Box 5296, Carol Stream, IL 60197-5296
 978497 Yankton Co. Accts. Receivable, PO Box 137, Yankton, SD 57078-0137

The following entities were noticed by electronic transmission on Mar 02, 2010.

978449 EDI: AFNIRECOVERY.COM Mar 02 2010 17:33:00 AFNI, Inc., PO Box 3427,
 Bloomington, IL 61702-3427
 978456 EDI: ACCE.COM Mar 02 2010 17:33:00 Asset Acceptance, LLC, PO Box 2039,
 Warren, MI 48090-2039
 978459 EDI: CHASE.COM Mar 02 2010 17:33:00 Chase Manhattan Bank, PO Box 15298,
 Wilmington, DE 19850-5298
 978467 +EDI: HFC.COM Mar 02 2010 17:33:00 HSBC Bank, PO Box 5253, Carol Stream, IL 60197-5253
 978468 EDI: IRS.COM Mar 02 2010 17:33:00 Internal Revenue Service, PO Box 21126,
 Philadelphia, PA 19114
 978476 +EDI: MID8.COM Mar 02 2010 17:33:00 Midland Funding, LLC, 8875 Aero Drive, Ste. 200,
 San Diego, CA 92123-2255
 978481 +EDI: PINNACLE.COM Mar 02 2010 17:33:00 Pinnacle Financial Group,
 7825 Washington Ave., S. Ste. 310, Minneapolis, MN 55439-2424
 978491 EDI: NEXTEL.COM Mar 02 2010 17:33:00 Sprint, PO Box 219554, Kansas City, MO 64121-9554
 TOTAL: 8

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr IRS
 978452* afni, PO Box 3427, Bloomington, IL 61702-3427

TOTALS: 1, * 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

District/off: 0869-4
Case: 10-40117

User: ckram
Form ID: b9a

Page 2 of 2
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***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 04, 2010

Signature:

A handwritten signature in black ink, reading "Joseph Speetjens", written over a horizontal line.